

Application No. 10/748,411
Response dated October 20, 2006
Reply to Office Action of September 27, 2006

Remarks

Claims 1-24 are presented for consideration. Applicants enclose a 37 C.F.R. 1.131 declaration. Applicants will address this issue in the following pages. Pursuant to 37 C.F.R. § 1.111, reconsideration of the present application in view of the following remarks is respectfully requested.

Responses to Rejections

By way of the Office Action mailed September 27, 2006, claims 1-5, 7-9, 12, and 14-24 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated and thus unpatentable over U.S. Patent Application Publication Number 2005/0065489 to Driskell et al. (the Driskell application). This rejection is respectfully traversed.

Applicants submit a Declaration under 37 C.F.R. 1.131, by inventor Lisa L. Bushman, swearing behind the Driskell application reference and thereby obviating the Driskell application reference as prior art in this case. As such, Applicants respectfully request that this rejection be withdrawn.

By way of the Office Action mailed September 27, 2006, claims 6, 10, 11, and 13 stand rejected under 35 U.S.C. § 103 as allegedly being obvious to one of ordinary skill in the art at the time the invention was made and thus unpatentable over the Driskell application. This rejection is respectfully traversed.

As discussed above, the Driskell application has been removed as prior art. Therefore, a *prima facie* case of obviousness has not been made and Applicants respectfully request that this rejection be withdrawn.

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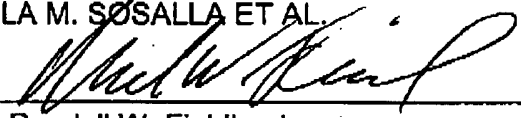
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Respectfully submitted,

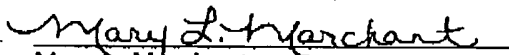
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CERTIFICATE OF TRANSMISSION

I, Mary L. Marchant, hereby certify that on October 20, 2006, this document is being facsimile
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Mary L. Marchant